

REMARKS

Claims 1-31 were pending in the application. Claims 1, 5, 6, 13-18, 24 and 27-29 have been amended. No claims have been canceled or added. Therefore, claims 1-31 are now pending and submitted for reconsideration.

A new copy of European Patent No. 849,129 is attached hereto per the Examiner's request. In addition, a revised declaration is attached.

Allowable Subject Matter

The identification of allowable subject matter in claims 18 and 24 is acknowledged and appreciated.

Specification

The abstract is objected to for an informality. The term "being" has been replaced with "is." A replacement Abstract is attached.

The specification is objected to for various informalities. The specification has been amended as appropriate. In particular, the specification is objected to for failing to provide antecedent basis for original claim 22. However, paragraph number [0021] describes how an unreleasable connection may be formed by adhesive bonding, welding or stitching. Thus, no amendment is required.

The Office Action also objects to the specification with regard to the term "dart." The term "dart" is well known as being, for example, a stitched tapering fold in a garment. Thus, no amendment is required.

Reconsideration and withdrawal of the objection to the specification is respectfully requested.

35 U.S.C. 112 Rejections

Claims 1-31 are rejected under 35 U.S.C. 112, second paragraph. Claims 1, 5, 13, 14, 16, 17 and 29 have been amended where appropriate. With regard to claim 12, the claim is

clear and definite. There is no ambiguity to the term “subassembly.” Furthermore, the subassembly is described, for example, at paragraph number [0051]. Also, with regard to claim 15, “the second deflection element” is clear and definite. Furthermore, as shown in Figure 2, the deflection element is located near element 37 and is described in, for example, paragraph number [0046]. Reconsideration and withdrawal of the rejection is respectfully requested.

Prior Art Rejections

Claims 1-6, 9-13, 20-21 and 26: Shirk

Claims 1-6, 9-13, 20-21 and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,168,193 (“Shirk”). Reconsideration and withdrawal of the rejection is requested for at least the reasons that follow.

The rejection of claim 1 should be withdrawn because Shirk fails to disclose, teach or suggest the claimed subject matter. For example, Shirk fails to disclose, teach or suggest that “a guide extending longitudinally along a vehicle pillar and being connected to the lower edge of the airbag; and wherein the guide is configured to move longitudinally along the pillar in the direction of deployment of the airbag,” as called for in claim 1. The guide 52 of Shirk does not extend longitudinally along a vehicle pillar. Rather, the guide extends laterally, as shown in Figures 1 and 2 of Shirk. Therefore, reconsideration and withdrawal of the rejection is respectfully requested.

Claims 2-5, 9-13, 20-21 and 26 depend from claim 1 and are allowable therewith, for at least the reasons set forth above, without regard to the further patentable subject matter set forth in these dependent claims.

The rejection of claim 6 should be withdrawn at least because, for example, Shirk fails to disclose, teach or suggest “wherein the run-back stop is positioned adjacent to a deflection element,” as called for by claim 6. Shirk teaches an inflatable curtain airbag with a tension device. The airbag is connected to a flexible elongated member (54), which resists movement of airbag away from the side structure of the vehicle. The flexible elongated member (54)

extends through a sleeve (84) formed along the bottom edge of the airbag. Shirk further teaches guides (86, 86) to position the flexible elongated member (54) and a pawl (160) to block a rack (154) from moving in an incorrect direction. However, the pawl (160) is not positioned “adjacent to a deflection element.” *See* Shirk at Figs. 1 and 6. Therefore, reconsideration and withdrawal of the rejection is respectfully requested.

Claims 1, 8, 16 and 19: Boxey

Claims 1, 8, 16 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,237,938 (“Boxey”). Reconsideration and withdrawal of the rejection is requested for at least the reasons that follow.

The rejection of claim 1 should be withdrawn at least because Boxey fails to disclose, teach or suggest the claimed invention. For example, Boxey fails to disclose, teach or suggest “a guide extending longitudinally along a vehicle pillar and being connected to the lower edge of the airbag; and wherein the guide is configured to move longitudinally along the pillar in the direction of deployment of the airbag,” as called for in claim 1. The guide 150 of Boxey does not extend longitudinally along a vehicle pillar, nor does it move longitudinally along the pillar. Rather, the guide 150 moves to extend laterally, as can be seen in Figure 2 of Boxey. Therefore, reconsideration and withdrawal of the rejection is respectfully requested.

Claims 8, 16 and 19 depend from claim 1 and are allowable therewith, for at least the reasons set forth above, without regard to the further patentable subject matter set forth in these dependent claims.

Claims 1, 14-15, 17 and 28: Böcker

Claims 1, 14-15, 17 and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,975,566 (“Böcker”). Reconsideration and withdrawal of the rejection is requested for at least the reasons that follow.

The rejection of claim 1 should be withdrawn at least because Böcker fails to disclose, teach or suggest the claimed invention. For example, Böcker fails to disclose, teach or suggest “a guide extending longitudinally along a vehicle pillar and being connected to the

lower edge of the airbag; and wherein the guide is configured to move longitudinally along the pillar in the direction of deployment of the airbag,” as called for in claim 1. Böcker includes a traction cable 9. The traction cable 9 does not extend longitudinally and move longitudinally along the pillar. Rather, as shown in Figure 3 of Böcker, the traction cable 9 moves at angle extending laterally. Therefore, reconsideration and withdrawal of the rejection is respectfully requested.

Claims 14 and 17 depend from claim 1 and are allowable therewith, for at least the reasons set forth above, without regard to the further patentable subject matter set forth in these dependent claims.

The rejection of claim 15 should be withdrawn at least because Böcker fails to disclose, teach or suggest “a spring configured to tension the guide between two deflection elements, wherein the guide is guided by the two deflection elements,” as called for in claim 15. The Office Action states that in light of the indefinite rejection of claim 15, Böcker meets the limitations of the claim. However, Böcker does not teach two deflection elements. Thus, Böcker cannot anticipate each and every limitation of claim 15. Therefore, reconsideration and withdrawal of the rejection is respectfully requested.

The rejection of claim 28 should be withdrawn because, for example, Böcker fails to disclose, teach or suggest each and every limitation of claim 28. For example, Böcker does not disclose, teach or suggest “wherein the traction device loops around a portion of the airbag.” The Office Action states that because member 7 is an eye-lug, the traction cable 9 will pass through it. *See* Office Action at p. 7, lines 1-2. However, the traction cable 9, by attaching to the eye-lug 7, will pass *through* the eye-lug 7, but will not loop around the airbag 1. Therefore, reconsideration and withdrawal of the rejection is respectfully requested.

Claims 1, 7 and 21-22: Wipasuramonton

Claims 1, 7 and 21-22 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,412,810 (“Wipasuramonton”). Reconsideration and withdrawal of the rejection is requested for at least the reasons that follow.

The rejection of claim 1 should be withdrawn at least because Wipasuramonton fails to disclose, teach or suggest the claimed invention. For example, Wipasuramonton fails to disclose, teach or suggest “a guide extending longitudinally along a vehicle pillar and being connected to the lower edge of the airbag; and wherein the guide is configured to move longitudinally along the pillar in the direction of deployment of the airbag,” as called for in claim 1. Wipasuramonton discloses an airbag 20 with a strap or guide 48. The strap 48 extends laterally from the bottom edge of the airbag 20. Thus, the strap 48 of Wipasuramonton does not move longitudinally along the pillar and does not extend longitudinally along the pillar. Therefore, reconsideration and withdrawal of the rejection is respectfully requested.

Claims 7 and 21-22 depend from claim 1 and are allowable therewith, for at least the reasons set forth above, without regard to the further patentable subject matter set forth in these dependent claims.

Claims 1, 23, 25 and 27: Boxey ‘678

Claims 1, 23, 25 and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,347,807 (“Boxey ‘678”). Reconsideration and withdrawal of the rejection is requested for at least the reasons that follow.

The rejection of claim 1 should be withdrawn at least because Boxey ‘678 fails to disclose, teach or suggest the claimed invention. For example, Boxey ‘678 fails to disclose, teach or suggest “a guide extending longitudinally along a vehicle pillar and being connected to the lower edge of the airbag; and wherein the guide is configured to move longitudinally along the pillar in the direction of deployment of the airbag,” as called for in claim 1. The Office Action states that Boxey ‘678 discloses an airbag 14 with a guide 80 extending longitudinally. *See* Office Action at p. 7, line 13. Rather, the guide 80 is a tether that is connected to a lower portion of the airbag 14. The tether, as shown in Figures 1 and 2 extends laterally and does not move longitudinally along the pillar. Therefore, reconsideration and withdrawal of the rejection is respectfully requested.

Claims 23 and 25 depend from claim 1 and are allowable therewith, for at least the reasons set forth above, without regard to the further patentable subject matter set forth in these dependent claims.

The rejection of claim 27 should be withdrawn because, for example, Boxey '678 fails to disclose each and every the claimed subject matter. For example, Boxey '678 fails to disclose, teach or suggest "wherein the traction device loops around a dart attached to the airbag." The Office Action states that the "flexible tether 80 loops around dart 92." Office Action at p. 7, lines 16-17. However, element 92 is merely a "first area of the curtain." There is no disclosure in Boxey '678 of any dart. Thus, Boxey fails to disclose each and every limitation. Therefore, reconsideration and withdrawal of the rejection is respectfully requested.

Claims 29-31: Schink, Faigle, Bocker

Claim 29 is rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,347,807 ("Schink"). Claims 29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Faigle in view of Böcker. Claim 29 has been amended to include the subject matter of claim 18, which includes patentable subject matter. Thus, the rejection of claim 29 is obviated.

Claims 30 and 31 depend from claim 29 and are allowable therewith, for at least the reasons set forth above, without regard to the further patentable subject matter set forth in these dependent claims.

Conclusion

Favorable reconsideration of the application, as amended, is respectfully requested.


The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment,

to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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